

# **TOWN OF MILLVILLE**

## **Facility Use Application**



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**Commented [J11]:** All comments by Jennifer are on behalf of Pat Plocek/ Ron Belinko

## **TOWN OF MILLVILLE**

### **FACILITY USE APPLICATION RULES**

**1.01 OVERVIEW:** The Town of Millville permits the public to reserve some of its public facilities for private functions, meetings, sports activities and similar activities, when not scheduled for the Town Council, Boards, Commissions or other priority uses. An individual, organization or business may make a request to the Town Manager or designee.

In order to reserve any of these facilities, the Town has instituted certain restrictions and regulations for use of Town facilities, [as](#) explained on the following pages. Please read these rules very carefully and use them to assist you in completing your Facility Use Application. Please direct your questions to the Town Manager or designee.

**1.02 EXCLUSIONS:** An applicant may be excluded from eligibility for use for the following reasons:

1. The applicant prohibits participation in its programs or services on the basis of race, color, national origin, sexual orientation or [religion](#).
2. The applicant has an [outstanding obligation](#) due to the Town of Millville which is in violation of the Clean Hands Ordinance.
3. The applicant has previously violated or abused the provisions of the reservation system.
4. The applicant has previously exhibited behavior that could bring the Town into public disrepute.
5. The applicant is deemed ineligible by the Town Council or Town Staff for appropriately identified [reasons](#).

**1.03 APPLICANT STATUS:** [A](#)n applicant may be:

- [1.](#) An individual, [at least 21 years of age](#), requesting a reservation for a

**Commented [ST2]:** Add creed, sex, marital status, familial status, source of income, age, gender identity or disability?

**Commented [ST3]:** That is the word used in the Clean Hands Ordinance.

**Commented [J14]:** WHAT ARE THE REASONS FOR INELIGIBILITY? Create a separate list.

2. An official representative of a business requesting a reservation for a business, company or corporation.
3. An official representative or officer of a not-for-profit group, association or social organization.
4. An official representative of a sports, recreation or leisure organization, league or sanctioning body.

**1.04 ADMINISTRATION:** The Town Manager or designee is responsible for implementing the reservation system and is authorized to verify use eligibility based upon the criteria established in this procedure.

**1.05 APPLICATION PROCEDURE:** Review the Facility Use Application Rules carefully. Understanding of and compliance with each rule is required and will assist in the smooth processing of each application. Fully complete the attached Facility Use Application form and return either by mail, fax or email it to:

Deborah Y. Botchie  
Town Manager  
36404 Club House Road  
Millville, DE 19967  
(F) 302-539-0879  
[dbotchie@mvtown.com](mailto:dbotchie@mvtown.com)

The use request shall be awarded on a first-come, first-served basis. Incomplete or defective applications will be returned to the applicant. The application must be submitted ~~at least five (5) business days~~ **as listed below** prior to the requested date(s). A new application must be submitted annually for reoccurring reservation requests.

**Tournaments- 30 days prior to the event**

**Open Space area for large event (200 people or more)- 30 days prior to the event**

**Open Space area for small event (less than 200 people)- 10 business days**

**Use of rooms for large event (100 or more people)- 30 days prior to the event**

**Use of rooms for small event (less than 100 people)- 10 business days**

Commented [ST5]: Mandatory deadline?

All requests for uses will conform to the reservation application process of the Town of Millville. A potential user shall make a written application for use on the request form provided by the Town of Millville.

An applicant must provide a down payment **and deposit** when the application is made ~~for tournaments or reoccurring reservations. One (1) day, non-tournament or event use requires full payment at the time of application submission unless total reservation exceeds \$300 in which case a deposit would be required. If the use reservation is granted, the applicant will be required to comply with the payment schedule.~~

**Commented [DB6]:** Sample from Ocean City Parks/Rec

If the use is denied, any payment made will be refunded to the applicant. If a use is granted and the applicant cancels the reservation ~~prior~~ **less than 10 days prior** to the use, **or if an outside event is canceled due to weather**, the received payment or deposit is forfeited, **or may be used for a future event.**

Applications are reviewed and approved by the Town Manager or designee and coordinated by the staff of the Town of Millville. Applicant(s) or their representative(s) may be required to meet with the Town Manager or their designee at the requested facility once the application is approved.

**1.06 ALLOWABLE USES AND RESTRICTIONS:** The Town of Millville facilities are available with some restrictions. The restrictions are established to protect the health, safety and welfare of the public, to prevent damages to Town property, and to maintain order and access to the facilities.

1. **ALCOHOL/DANGEROUS OR NARCOTIC DRUGS: The sale, consumption, or possession of intoxicating liquors or beverages, dangerous or narcotic drugs, of any kind is prohibited on the property of TMF.** ~~Open containers of alcoholic beverages on public property are illegal and event organizers are responsible for assuring their participants comply. Alcoholic beverages are prohibited on Town property unless~~ **may be granted** permission by the Town Manager or designee through the Facility Use Application process **for indoor events at the community center.**
2. **GAMBLING:** Gambling or **games of chance** for monetary advantage are prohibited on Town property, unless approved by the Town Manager or designee and have permits from County issued.

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**Commented [DB7]:** We will allow in community center at park; however, they have to get an ABC license. Sharon suggested adding signage outside of the Community Center (CC) "No Alcohol Beyond This Point."

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**Commented [DB8]:** Don't know how this is handled in Sussex County but I don't think we should allow this period.

**Commented [J19]:** This requires further discussion. What about raffles, door prizes, etc.?

3. **SMOKING AND VAPING:** Smoking and vaping is prohibited on all Town property. Event organizers are responsible for assuring their participants comply.
4. **VEHICLES:** **Parking is limited to the designated parking lot.** Motor vehicle access in Evans Park is prohibited except by permit. Vehicle access through the park to load and unload supplies, setup and similar activities requires an access permit issued by the Town Manager unless it's a Town sponsored event or similar activity. This request **(along with number of vehicle permits)** must be clearly specified on the Facility Use Application under "Special Requests." It must be approved in advance by the Town Manager or designee, and once approved a vehicle access permit will be issued which must be displayed in front window of vehicle.
5. **NOISE:** Profanity and loud music using profanity are prohibited. Please respect the individuals who live near the park and keep noise levels to a minimum.
6. **PRIVATE CONCESSIONS:** No food or beverage concessions or merchandise sales will be permitted on any Town property without prior approval. The Town of Millville reserves the right to operate concessions at any of its facilities. Any request for concession operations must be evaluated and approved prior to the reservation. Unless this is a Town sponsored event, applicants may have to purchase a Town Business License, Permitted Public Event Permit or Mobile Food Vendor License.
7. **HOURS:** Park hours are from sunrise to sunset for playground areas, challenge course, pavilion, **open areas,** and pickleball courts. **Hours for Town Hall are to . Community Center hours are to .**
8. **TOWN ORDINANCES:** All uses permitted on Town property shall conform to the local ordinances and rules established by the Town Council. The Town's ordinances can be found at [www.millville.delaware.gov](http://www.millville.delaware.gov) under Charter & Code.
9. **EQUIPMENT/SUPPLIES:** The Town of Millville is not responsible for the use, safety, security or upkeep of any supplies or equipment provided by a tournament/event organizer to support their event. All such equipment and supplies must be removed from Town property immediately upon conclusion of tournament/event. Should any equipment or supplies be abandoned by the event organizer and left on Town property, a fee

**Commented [DB10]:** Sharon and I discussed this. We know full well if the CC is rented for parties or receptions... there will be smokers which will throw their butts on the ground. I realize we can fine the applicant, but maybe we should have some sort of butt containers.

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**Commented [DB11]:** Hopefully this will prevent folks driving on the trail for pickle ball tournaments or other events that are not Town sponsored.

**Commented [DB12]:** Not sure how to word this.

**Commented [DB13]:** Council has not decided about the pickleball courts. The Park sign states "sunrise to sunset" however, the pickleball courts have lights. Needs more discussion

**Commented [DB14R13]:** Sharon and I agree that we need to have specific hours for each of the Town's facilities as they differ in use.

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**Commented [J115]:** PP recommended electric locks and indoor events finishing at 10 pm and out by 10:30 (noise ordinance)

shall be charged to the organizer for disposal, removal or storage at the Town's discretion. The TMF equipment (tables, chairs, etc.) must remain inside and may not be removed from the facility.

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10. **OPEN FLAME POLICY:** The burning of candles, sparklers, incense, paper leaflets, combustible figurines or pyrotechnic devices is prohibited on Town property. Battery operated candles may be approved for use in lieu of open flame candles. Exception: This requirement shall not apply to food service operations using sterno canned heat.

11. **TMF ACCESS:** Rental of a room provides access to that room, use of the hallways to get to the room, and use of the restrooms. Renters are expected to limit guest to those areas. Guests must not loiter in the restrooms, hallways, or any room that has not been rented.

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12. **FUNDRAISING AND FEES:** Renters will not charge admission, sell tickets or items, or solicit donations without prior consent. All requests must be approved by the Town Manager and details listed on the rental permit.

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13. **SECURITY AND CHAPERONES:** The Town reserves the right to require chaperones, security or traffic control, to be provided at the expense of the renter. **Minors:** If the event is primarily for children and/or minors, there must be one adult for every 15 minors. A minor is defined as anyone under the age of 21. The renter is responsible for ensuring that this ratio is maintained throughout the event.

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Commented [ST16]: Policing?

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14. **DAMAGES OR INJURY:** The Town of Millville is not responsible for damages or injuries to property or persons associated with the use of TMF.

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15. **VIEW OF FACILITY:** Renters are encouraged to view the rental area for electric accessibility or any other special equipment needs. Please provide details on the rental permit regarding any equipment you are bringing in. Insurance certificates may be required.

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- 1.07 TIMELINE TO REQUEST USE OF TOWN FACILITIES:** Facility Use Applications must be completed and submitted to the Town Manager or designee by the required number of days as determined ~~no later than five (5) business days prior to the requested date.~~ A reservation will

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not be permitted more than six (6) months in advance. See the Application Timeline for guidance. The Town Manager or designee may entertain a request for a use with less than five (5) business days provided no special facility preparation is required. The Town Manager or designee may entertain a request for an annual or recurring sports tournament or special event, one (1) year in advance if the applicant is in good standing.

**1.08 PAYMENT FOR RESERVATIONS:** Full payment for a reservation is due upon submission of the Facility Use Application. ~~if fees total less than \$300. A \$50 down payment per outside facility per day is required for multiple day uses such as tournaments or special events. For inside facilities, a \$100 down payment per inside facility per day is required. For tournament or event reservations, the full balance is due on the first business day after the tournament or event.~~ Payment can be made with cash or check. Checks should be made payable to “Town of Millville.”

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Commented [DB17]: No decisions on fees have been made. Samples for OC Parks/Rec

**1.09 PRICE OF USE:** A price is charged for the use of the facilities, and all are listed on the attached “Fees for Reservations.” These fees are established by the Town Council.

**1.10 FREQUENCY AND NUMBER OF USES:** The frequency and number of uses by an applicant may be restricted in order to ensure a fair distribution of uses between eligible applicants and in order to avoid a disproportionate use by one or more applicants. A maximum use of facilities of once per month may be applied. Pickleball tournaments will be limited to once per month regardless of who reserves the courts.

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**1.11 CHANGES IN THE APPLICATION:** Any request for deviation from the completed Facility Use Application after approval is granted must be submitted in writing prior to the reservation and appropriate approvals must be obtained.

**1.12 SETUP:** Each approved applicant is responsible for providing all the necessary setup, breakdown, and any cleanup for the use without assistance of Town employees or agents. All rooms used will be in the same condition as when arrived. The time to perform these activities

should be included in your application and fees will be charged for this time. The applicant is required to clean the area of trash generated by the use and it is to be disposed of in the appropriate receptacles provided. The applicant shall neither damage not permit damage to Town property.I If Town property is damaged, the applicant is required to report it to the Town Manager or designee immediately and assume responsibility. Damage fees will then be assessed and invoiced to the applicant. Failure to practice appropriate cleanup procedures will result in an assessed cleanup fee against the applicant and may be charged against the deposit.

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**1.13 LIABILITY INSURANCE:** All applicants must sign and submit the Indemnification and Hold Harmless Clause, Clean-up Responsibility and Liability Statement Clause. An applicant may be required to provide a certificate of insurance for certain uses. If the use is for a tournament, sporting event or special event, then the applicant shall provide the Town with a certificate of occurrence for comprehensive general liability insurance with a value of \$1,000,000. The exact wording on the certificate should be "The Town of Millville, 36404 Club House Road, Millville, DE 19967" as an additional insured. The certificate of insurance must be provided before the use. Additional Liability precautions may be required of an applicant.

**1.14 MANDATED CHANGES/CANCELLATIONS:** All applicants must understand that any event or reservation can be changed or canceled at the discretion of the Town Manager or designee for any reason if the approved event or reservation interferes with any Town of Millville projects, events, or any other necessary government function. Such action may be directed at any time.

If weather conditions make playing circumstances unsafe, impractical, and/or open area or Town property vulnerable to excessive damage, the Town Manager or designee has the authority to cancel or postpone a reservation.

Neither the Town nor the approved applicant are liable for failure to perform their obligation if such failures are a result of force majeure events, including fire, flood, earthquake, storm, hurricane or other natural disasters, wars, acts of terrorism, riot, epidemics, pandemics or similar circumstances beyond the control of the parties.



If the Town cancels for any of the reasons listed above, all ~~deposits~~ payments will be refunded.

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If an approved applicant cancels for any reason other than the force majeure events listed above, the applicant's ~~deposits~~ payments, or percentage of payment will be forfeited and the organizer's priority application privileges will be revoked for those specific dates for the following year.

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**1.15 PENALTY FOR NONCOMPLIANCE:** Noncompliance with any of these written rules either prior to, or during an event, may result in the revocation of all approved reservations or immediate reservation cancellation.

**1.16 NON-PROFIT:** A copy of the non-profit certification may be requested to be submitted to the Town Manager along with the application.

**1.17 LICENSE/PERMITS:** The Town may require a copy of Town, County, and/or State licenses or permits to be attached to the application.

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**1.18 EVENING RENTALS:** All evening rentals must be completed and vacate the building by 10:30 pm. There are no exceptions. Set up and clean up time must be included in rental times.

**QUESTION SHOULD BE DIRECTED TO THE TOWN MANAGER AT  
(302) 539-0449**

Keep these rules for your information. Sign the acknowledgement that you have reviewed and will comply with all these rules and procedures in the appropriate section of the application packet.